Scott. II-48—34,845—20-1-22.

Law (General) **(192 2) Department.**

Ordinary **SERIES.**

G.O. No. 240

DATED 7th December 1922
7 - 12 - 1922

[Despatch Abstract.]

Establishment - Courts - Civil - Head Clerks - District Munsifs Courts Udipi and Karkal - Messrs. U. Ramma Rao and B. Srinivasa Rao initial pay - revised.

YM 2826

.F. 2[illegible]-25,826—17-12-21.

DEPARTMENT.

Received ..... 192 . Registered 192

-Subject.

25-OCT-1922

L. Dis. 41941/5
25-10-22

To
Law (General) Dept.
Endt:— 4194 B-1 dy. 3.11.1922
Referred to the Accountant General for remarks.
(By order)
R.V.Krishnan
Assistant Secretary

35-03
6 NOV22

Dis 31.10.22

The Accountant General
(& he accordingly)

ENCLOSURES.
No. .....
.....
Spare copies .....

R.O.C. No. 2657 of 22.

Station Madras, *Dated the* 16th October 1922.

From (Name) F. G. Butler, Esquire, M.A., C.S.,

(Designation) Registrar, High Court.

To The Secretary to the Government of Madras,

LAW (GENERAL) Department.

Sir,

Initial pay-head clerks-District Munsifs' Courts of Udipi and Karkal-South Kanara district.

I am directed to forward for the orders of His Excellency the Governor in Council a copy of a letter D.No. 3967, dated the 18th September 1922, with its enclosure from the District Judge, South Kanara, in which he requests that the initial pay of M.R.Ry U.Ranga Row, Head Clerk, District Munsif's Court, Udipi, and M.R.Ry B.Srinivasa Row, Head Clerk, District Munsif's Court, Karkal, may be fixed at Rs.80 and Rs.68 respectively on 1--3--1921. In the circumstances set forth in the District Judge's

GM 2826

C.F. 2[illegible] 35,826—17-12-21—

DEPARTMENT.

Fms

Received ASST SECRETARY TO GOVERNMENT 25-OCT-1922 LAW DEPARTMENT 192 Registered 192

Subject.

Lr. G. 4194 B
26-10-22

No.
Law (General) Dept.

Endt:— 4194 B-1 dy 3.11.1922

Referred to the Accountant General for remarks.
(By order)
R.V.Krishnan
Asst Secretary

ACCOUNTANT GENERAL 3503 6 NOV 22 MADRAS

Lais 31.10.22

The Accountant General (by the assistant copy)

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letter, I am to state that the Hon'ble the Judges support his recommendation in both the cases.

I have the honour to be,

S i r,

Your most obedient servant,

24. 10. 22

Registrar.

MGB.

24-X-22.

Copy of letter from the Ag.District Judge, South Kanara, Dis.No.3967, dated the 18th September 1922, to the Registrar, High Court, Madras.

...

I have the honour to request that the High Court may be pleased to move Government to fix the initial salary of U. Ranga Rao, Head Clerk, District Munsif's Court, Udipi, at Rs.80/- per mensem and that of B. Srinivasa Rao, Head Clerk, District Munsif's Court, Karkal, at Rs.68/- per mensem with effect from 1--3--1921, the date on which the revision of salary of the establishments of mofussal Civil Courts came into force, for the following reasons:-

2. U.Ranga Rao, who was Head Clerk of the District Munsif's Court, Karkal, on a salary of Rs.50/- per mensem, was substantively appointed Head Clerk of the District Munsif's Court, Udipi on Rs.60/- per mensem. It may be mentioned in this connection that before the revision these two courts had been classified as II grade and I grade Courts respectively, the salaries of the Head Clerks being Rs.50 and 60. The distinction has obviously been abolished by the revision and the salaries of the Head Clerks are consequently personal now. Though the order appointing him Head Clerk at Udipi was passed on 3--2--1921 and was communicated to him on 4--2--1921, Ranga Rao was prevented from joining the appointment at Udipi till the 14th April 1921, since the District Munsif, Karkal, represented to this Court that he could not relieve Ranga Rao until his substitute has actually joined duty in his court. The failure of U.Ranga Rao to join his appointmert at Udipi soon after the order had been communicated to him was therefore due entirely to the exigencies of the service and not to any laches on his part. After joining at Udipi he drew salary at the rate of Rs.78 i.e. 60 plus 18 temporary addition to pay under G.O.No.780 dated 28-8-1920 from 14-4-1921 till

A

(5)

30-6-1922 when on receipt of High Court Order R.O.C. No.230/21 dated 12-5-1922 his initial pay was in pursuance of the instructions contained in the annexure to G.O.No.711 Financial dated 11--7--1921 fixed at Rs.68 per mensem. He has to refund the excess over Rs.68/- drawn by him for over a year from 14-4-1921 and to wait for three years to earn the maximum salary (Rs.80/-) admissible to him under the revision. Seeing that he is past 55 years of age, the order will further affect the amount o pension which he will be eligible to on retirement. A copy of his application addressed to this Court is enclosed for reference.

(D)

3. Equally hard is the case of B. Srinivasa Rao, Head Clerk of the District Munsif's Court, Karkal and deserves consideration. He was appointed permanent Head Clerk of the District Munsif's Court, Karkal, vice U.Ranga Rao mentioned above by an order dated 12-2-1921 and prior to this appointment he was Deputy Nazir of Kundapur on Rs.40/- plus 12 temporary addition to pay, and not having been relieved at Kundapur soon after the order of appointment had been communicated to him could not join as Head Clerk at Karkal until the 6th April 1921. As Head Clerk at Karkal he drew salary at Rs.50 plus 15 temporary addition to pay per mensem until June 1922 when his initial pay was fixed at Rs.60/- per mensem in view of his appointment as Head Clerk on a salary of Rs.60-4-80, with effect from 7--4--1921. As in the case of the other Head Clerk referred to above he has to refund the excess drawn by him over Rs.60/- for over a year. If he had been permitted to join his new appointment prior to 28-2-1921 he would have been entitled to draw salary at Rs.65/- per mensem and his initial pay would in that case have been fixed at Rs.68/-.

B

To

The District Judge,

South Kanara.

Through

The District Munsif,

U d i p i.

Humble petition of U.Ranga Rao,
Head Clerk, District Munsif's Court,
Udipi dated the 21st August 1922.

Honoured Sir,

The Petitioner most humbly and respectfully begs to represent the following circumstances for your Honour's kind consideration and favourable orders.

2. That his initial pay on 1st March 1921 has been fixed at Rs.68/- per mensem according to the new scheme of time scale introduced as per G.O.No.711, Finance dated 11th July 1921.

(D)

3. That pay was drawn by him at Rs.65/- per mensem till 14th April 1921 as Head Clerk of the District Munsif's Court, Karkal, and at Rs.78/- per mensem from 15th April 1921 on account of his transfer on promotion to the District Munsif Court, Udipi, which was ordered by the District Court and communicated on 5th February 1921, but took effect only from 15th April 1921, as he was relieved only on the 6th of that month and was, thus unable, although it was possible, to join his new appointment before the end of February 1921 which has deprived him of his benefit of the said promotion to which he is entitled under the new scheme by his initial pay being fixed at Rs.80/- instead of at Rs.68/- on 1st March 1921.

4. That the said rate of Rs.78/- has been discontinued from 1st July 1922 owing to the receipt of the order from the District Court fixing the initial pay of the subordinates of the clerical establishment and pay is being drawn for him at a reduced rate of Rs.72/- (being the next increment from 1st March 1922) from 1st July 1922, and according to the statement

called for in para.8 of the Accountant-General's Circular letter No.T.M.24-1-430, dated 24th January 1922, a refund of Rs.114/- has to be made by him.

5. That he has been subjected to a heavy loss by reason of the above reduction and refund though the object of the sub-scheme is to improve the condition of the members of the sub-ordinate service and that, in view of the said loss being remedied, which does not arise from his negligence or fault and which works on him as a punishment two fold, Your Honour may be pleased to issue instructions as to the fixing of his initial pay on 1st March 1921 on the basis of the pay(Rs.78/-) drawn by him in the Udipi Court till 30th June 1922, as a special case.

6. That if the above prayer should fail, he solicits instructions as to whether the proviso to article 158 C.S.R. a reference to which has been made in Rule 9 of the rules in the annexure to G.O.No.711 dated 11th July 1921 and in the explanation of the said rule in the appendix of the circular letter referred to in para.4 above, applies to him. If it applies to him, he prays that he may be permitted to retain the rate of Rs.78/- at which he drew his pay till 30th June 1922.

7. In conclusion he prays, that your honour may be pleased to order a reference to be made to the proper authority for the recovery of the refund aforesaid to be waived, if favourable orders could be passed in the matter referred to in para. 6 above.

For which act of kindness and justice, he shall ever remain grateful.

/Sd/ Ranga Rao,

Petitioner.

(True Copy)

Sd. V.S.Narayana Ayyar,

Ag.Dt.Judge.

MGB.

2 Aug. 22

7

O.F. 50—10,000—30-4-21.

No. S.K. 1-392.

OFFICE OF THE ACCOUNTANT-GENERAL, MADRAS,

Fort St. George, 17th November 1922.

Enclosures.
3 Sheets.

L.S. 46023
18/11/22

RETURNED.

2. As stated by the District Judge, South Kanara, the initial pay of Messrs. U. Ranga Rao and B. Srinivasa Rao would have been fixed at Rs 80/- and Rs 68/- per mensem respectively under para 1 of the Annexure to G.O. No. 711 Finance dated the 11th July 1921, if they had joined their appointments at Udipi and Karkal before 28th February 1921. It is for Government to decide whether on this ground the amounts mentioned above may be fixed as their intial pay.

Accountant-General.

To

The Secretary to the Government of Madras,

Law (General) Department.

Law Department (General)

Subject: Initial pay. Head clerks, ~~[illegible]~~ Munsip Courts.

[C.No. 4194 B] From the Registrar, High court, Roc no. 2607 of 1922 of the 16th October 1922

Endorsement of the Accountant General no. 4194 B - 1 of the 3rd November 1922

[C.no. 4602 B] From the Accountant General, no. S.K. 1-392 of the 17th November 1922

A.S.

Of the orders appointing Messrs K. Ranga Rau and B. Srinivasa Rau as head clerks, Munsip courts Udipi & Karkal had been given effect to from the 4th February 1921 and 12th February 1921 respectively they would have been eligible to draw as initial pay in the revised time scale of pay Rs 80 & Rs 65 respectively on the 1st March '21.

(X X X

2 3

two clerks in question is submitted for approval. It may go to Finance for Sais acceptance.
24.11.22

RLK 29/11/22

Secy

Finance Dept

Law (Genl) No 4600 03-1
30/11/22

Finance Dept.

The draft order may be accepted for the reasons stated by the Dt Judge S. Kamara in his letter on pp 3-4 c.f.

Please see A.G.'s Endt. on page 7 c.f.

Fin Sec. No. 606 of 21.
2-12-22

Asst. 1.12.22

CRL 1.12.22

Law(Genl)

Law (Genl) Dept

AS.

The draft order may now issue

Sais 5.12.22

RLK 5/12/22

Secy 6/12/22

L. G. 4878B
4-12-22

SECRETARY TO GOVERNMENT
4 DEC 1922
SIERRA LEONE

Secrt. II-10 (a)—14,622—3-3-19. (6)

Law DEPARTMENT.
(General)

Establishment - ~~Cords~~ Comts. Civil - Demands,
Comts - Wipd & Karkal / Head clerks. initial pay - revised.

READ AGAIN G.O. No....., dated..... 19 .

" " ..... " ..... 19 .

READ ALSO:—

C. No. 4194 B, From the Registrar, High Court Roc, No. 2657/22 dated the 26th October 19 22

" " " " Endorsement to the Accountant-General, no. ~~Sk. 1-392~~ 4194 B-1 ~~19~~ 5-11-22

" " " " " Accountant-General no. Sk. 1-392 dated 17. 11. 1922

ORDER. No. 3045, dated 7-12- 1922

Misc

In the circumstances stated by the High Court the Government are pleased to fix the initial pay of Messrs A. Ranga Rao & B. Srinivasa Rao, Head clerks, Dt. Munsif Courts, Wipd & Karkal at Rs 80 & Rs 68 respectively in the revised time scale of pay of Rs 60-4-80, with effect from the 1st March 1921.

Dept 8/12

7/12

D 7/12

The Hon'ble the Chief Justice
& Judges.

The Accountant-General
through the Finance Dept

This 24/11/22

27-11-22

RLL
29/11/22

Secy
30/11/22